

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

RODNEY COLLINS,

Plaintiff

VS.

BRANDON BRIDGES, *et al.*,

Defendants

NO. 5:09-CV-109 (HL)

**PROCEEDINGS UNDER 42 U.S.C. §1983
BEFORE THE U. S. MAGISTRATE JUDGE**

ORDER

Defendants herein have filed a motion seeking partial judgment on the pleadings in the above-captioned §1983 action Under Rule 12(c) of the Federal Rules of Civil Procedure. Tab #45. Since plaintiff Rodney Collins is proceeding *pro se*, the court deems it appropriate and necessary to advise him of his obligation to respond to this motion and of the consequences which he may suffer if he fails to do so.

Plaintiff is advised:

- (1) that a **MOTION FOR JUDGMENT ON THE PLEADINGS** has been filed herein on behalf of the defendants;
- (2) that he has the right to oppose the granting of said motion; and,
- (3) that if he fails to oppose said motion, the motion may be granted.

Plaintiff Collins is further advised that under the procedures and policies of this court, motions are normally decided on briefs. The court considers the pleadings and briefs filed by the parties in deciding whether the relief sought is appropriate under the law.

FAILURE OF THE PLAINTIFF HEREIN TO RESPOND TO THE MOTION FOR JUDGMENT ON THE PLEADINGS MAY RESULT IN THE GRANTING OF SAID MOTION. Upon the recommendation of the magistrate judge, the district judge could then grant the motion. There would be no trial or any further proceedings with regard to the issues raised in the motion!

Accordingly, plaintiff is **ORDERED AND DIRECTED** to file a response to said MOTION FOR JUDGMENT ON THE PLEADINGS **ON OR BEFORE MONDAY, DECEMBER 7, 2009.** Thereafter, the court will consider the motion and any opposition to the same filed by the plaintiff. If no response is submitted by plaintiff, the court will consider said motion to be uncontested.

Also before the court is the defendants' motion seeking a stay of the proceedings, including discovery, until such time that the court has ruled on the aforementioned MOTION FOR JUDGMENT ON THE PLEADINGS. Tab #46. In order to avoid any unnecessary costs and burdens associated with further litigation, discovery shall be STAYED until the court has made a ruling on the instant MOTION FOR JUDGMENT ON THE PLEADINGS.

The Clerk is directed to serve plaintiff at the last address provided by him.

SO ORDERED, this 2nd day of NOVEMBER, 2009.



s/ Claude W. Hicks, Jr.
CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE